

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30937-2016
Date of decision-12.01.2017

Gurvinder Singh
Vs.
State of Punjab

...Petitioner

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S.Rangi, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Raman Goklaney, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.19 dated 15.02.2016, registered under Sections 380, 448 and 506 read with Section 34 of Indian Penal Code at Police Station Dugri, District Ludhiana.

On 09.11.2016, this Court had passed the following order:-

“Learned counsel states that the complainant is holding possession of the premises in question. The petitioner has no objection if the complainant continues as tenant and pays rent in terms of agreement dated 14.11.2006, reached between the parties.

Learned counsel for the complainant seeks some time to make a statement whether the entire payment in terms of agreement dated 14.11.2006, has been paid or not.

The petitioner is allowed to join the investigation.

Post again on 12.01.2017.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1. That he shall make himself available for interrogation

by a police officer as and when required;

2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

3. That he shall not leave India without previous permission of the Court.”

It is contended that in pursuance of the order dated 09.11.2016, the petitioner has joined the investigation. The learned State counsel, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 09.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

January 12, 2017

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No